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CERTIFICATE OF MAILING

I certify that this document is being deposited with the U.S. Postal Service as First Class Mail fider 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 2313-1450.

Date:

10/28/2004

Signature of Person Mailing Correspondence

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**PATENT** 

Applicant(s):

Peter D. Saunders

Docket No.:

60655.6300

Serial No.:

10/711,965

**Group Art Unit:** 

TBA

Filed:

October 15, 2004

Examiner:

TBA

Title:

**SYSTEM AND METHOD** 

Confirmation No.:

5964

FOR PROVIDING A RF PAYMENT SOLUTION TO

A MOBILE DEVICE

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner For Patents PO Box 1450 Alexandria, VA 22313-1450

## Commissioner:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and pursuant to 37 C.F.R., §§1.97 and 1.98, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents listed on the attached Form PTO/SB/08A. Applicant respectfully submits that all pending claims are patentable over the foregoing references, alone or in combination. The Examiner is requested to initial the enclosed Form PTO/SB/08A and return a copy thereof to the undersigned.

The items listed on Form PTO/SB/08A may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

Serial No.: 10/711,965 Docket No.: 60655.6300

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants reserve the right to dispute any of the listed documents as prior art during examination. Further, Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application. Furthermore, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other material information may exist.

1. [ ]	For each of the following items listed on the enclosed copy of Form PTO/SB/08A
	that is not in the English language, an English language translation of that item or
	a portion thereof or a concise explanation of the relevance of that item is
	enclosed:

- 2. [X] Any copy of the items listed on the enclosed copy of Form PTO/SB/08A that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in the prior [X] Parent Application, [] Continuation, [] Divisional or [] Continuation-In-Part application under 37 C.F.R. §1.97, U.S. Serial No. \_\_10/192,488\_, filed \_\_July 9, 2002\_\_\_\_.
- 3. [X] No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
  - [X] 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.
  - [ ] 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application.
  - [ ] 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits.
- 4. [ ] No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 3 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 8 below.
- 5. [ ] A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period

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Serial No.: 10/711,965 Docket No.: 60655.6300

	•	fied in paragraph 3 above but before the mailing date of a final action or a e of allowance (where there has been no prior final action):
	[]	A check in the amount of \$180.00 is enclosed in payment of the fee.
	[]	Charge the fee to Deposit Account No. 19-2814. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
6. []	since of a fi	is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date nal action or a notice of allowance, whichever comes first, but before ent of the issue fee, and is accompanied by:
	a.	one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 8 below; and
	b.	the attached petition requesting consideration of this Information Disclosure Statement; and
	C.	the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 9 below.
7. [ ]		is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement it is being filed in compliance with:
	a. [ ]	37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue;
	b. [ ]	37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue.
	C.	The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 9 below.
8. [ ]	Disclo	by certify that each item of information contained in this Information osure Statement was cited in a communication from a foreign patent office ounterpart foreign application not more than three months prior to the filing Information Disclosure Statement.
[]	Stater	by certify that no item of information in the Information Disclosure ment filed herewith was cited in a communication from a foreign patent in a counterpart foreign application or, to my knowledge after making

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Serial No.: 10/711,965 Docket No.: 60655.6300

reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

- 9. [ ] A check in the amount of \$180.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(p).
  - [ ] Charge the fee due under 37 C.F.R. §1.17(i)(1) to Deposit Account No. 19-2814. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
  - [ X ]The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 19-2814. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

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Respectfully submitted,

Snell & Wilphe

Howard Sobelman Registration No. 39.038

Snell & Wilmer L.L.P. One Arizona Center 400 E. Van Buren Phoenix, Arizona 85004-2202

Phone: (602) 382-6228 Fax: (602) 382-6070

Dated:

Email: hsobelman@swlaw.com

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PTO/SB/08a (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 5

Complete if Known						
Application Number	10/711,965					
Filing Date	October 15, 2004	-				
First Named Inventor	Peter D. Saunders, et al.					
Art Unit	TBA					
Examiner Name	TBA					
Attorney Docket Number	60655.6300					

				U.S. PAT	ENT DOCUMENTS	_
Examiner	Cite	Cite Document Number		Publication Date	Name of Patentee or	Pages, Columns, Lines, Where Relevant Passages or Relevant
Initials*	No.1	Number	Kind Code	MM-DD-YYYY	Applicant of Cited Document	Figures Appear
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7PE/		СН	CH689070		0//31/1998	Peter Bresch		$\sqcap$
8		EP	0 358 525	A2	03/14/1990	W&T Avery Ltd.		
		EP	0 424 726	Al	10/10/1990	Angewandte Digital Elec		
		PCT	WO 99/03057	A1	01/21/1999	Robert E. Dorf		
		EР	0 933 717	A2	08/04/1999	Citicorp Development Center		
		EP	0 956 818	A1	11/17/1999	Citicorp Development Center		
		EP	0 959 440	A2	11/24/1999	Citicorp Development Center		
		JP	2000-1109	A	01/14/2000	Citicorp Development Center		
\/		JP	2000-015288	A	01/18/2000	Hitachi Plant Eng & Constr		
		JP	2000-40181	A	02/08/2000	Unknown		

Examiner	/Pierre Elisca/	Date	09/30/2008
Signature	/i ielie Liisca/	Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. See Kinds Codes of USPTO Patent Documents, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Skind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

· Substitu	ite for form 1449A/PTC	)		Complete if Known			
				Application Number	10/711,965		
INF	ORMATION	DIS	SCLOSURE	Filing Date	October 15, 2004		
STA	<b>TEMENT B</b>	YA	PPLICANT	First Named Inventor	Peter D. Saunders, et al.		
				Art Unit	ТВА		
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Sheet	2	of	8	Attorney Docket Number	60655.6300		

				U.S. PATE	ENT DOCUMENTS	
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Examiner Initials	Cite No. <sup>1</sup>	Number	Kind Code	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Relevant Passages or Relevant Figures Appear
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Initial		No.1	Office <sup>3</sup>	Number <sup>4</sup>	Kind⁵ <i>(if known)</i>	MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	Τg
/F	Æ/		PCT	WO 00/10144	A1	02/24/2000	3M Innovative Properties Co		
			JP	2000-67312	A	03/03/2000	IBM		
			EP	0 984 404	A2	03/08/2000	IBM		
			PCT	WO 00/38088	Al	06/29/2000	John Klayh		
			EP	1 016 947	A2	07/05/2000	Texas Instruments Inc.		
			JP	2000-207641	Α	07/28/2000	NCR International Inc.		
			EP_	1 039 403	A2	09/27/2000	Citicorp Development Center		
	$\Box$		JP	2001-5931	Α	01/12/2001	Unknown		
	,		PCT	WO 01/04825	A1	01/18/2001	Intermec IP Corp.		
M	7		PCT	WO 01/15098	A1	03/01/2001	Gamut Interactive		

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Signature	/Pierre Elisca/	Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at <a href="www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

	Substitu	te for form 1449A/PTC	)		Complete if Known			
					Application Number	10/711,965		
	INF(	ORMATION	DIS	SCLOSURE	Filing Date	October 15, 2004		
	STA	TEMENT B	YA	APPLICANT	First Named Inventor	Peter D. Saunders, et al.		
					Art Unit	TBA		
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s	heet	3	of	8	Attorney Docket Number	60655.6300		

				U.S. PAT	ENT DOCUMENTS	
Examiner Initials	Cite No.1	Document Number	Kind Code	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Initials*	No.1	Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)	MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	Τe
/PE/		EP	1 104 909	A2	06/06/2001	Smartel S.P.A.		
200000		PCT	WO 01/43095	A2	06/14/2001	Intermec IP Corp.		
200000		EP	1 113 387	A2	07/04/2001	Schlumberger Systemes		
00000		PCT	WO 01/72224	A1	10/04/2001	Wolf Fernlund		
2000		JP	2001-283122	Α	10/12/2001	Dainippon Printing Co., Ltd.		
200000		PCT	WO 01/77856	A1	10/18/2001	Brightstreet.com, Inc.		
000000		PCT	WO 01/80473	A2	10/25/2001	Sony Electronics, Inc.		
No.		PCT	WO 01/86535	A1	11/15/2001	Cadmus Technology Ltd.		
, ,		PCT	WO 01/90962	Al	11/29/2001	Grosvenor Leisure Inc.		
		PCT	WO 01/95243	A2	12/13/2001	Battelle Memorial Institute		T

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. ;	Substitu	te for form 1449A/P	то		Co	omplete if Known
					Application Number	10/711,965
	INF	ORMA HOI	N DI	SCLOSURE	Filing Date	October 15, 2004
	STA	TEMENT	BY A	APPLICANT	First Named Inventor	Peter D. Saunders, et al.
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SI	heet	4	of	8	Attorney Docket Number	60655.6300

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Examiner Initials*	Cite No. <sup>1</sup>	Number	Kind Code (if known)	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear
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Initi		No.1	Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)	MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	T <sup>6</sup>
/F	?E/		PCT	WO 02/01485	Al	01/03/2002	Smartclick Corporation		
			PCT	WO 02/13134	A2	02/14/2002	Medmicrochip LC		
			PCT	WO 02/21903	Al	03/21/2002	Mario Witte		
			EP	1 199 684	A2	04/24/2002	Marconi Commerce Systems		
			PCT	WO 02/063545	A2	08/15/2002	Sensormatic Electronics Corp		
			PCT	WO 02/065246	A2	08/22/2002	Stockback Holdings, Inc.		
			PCT	WO 02/065404	A2	08/22/2002	Stuart Williams		
			PCT	WO 02/069221	Al	09/06/2002	Frequency Marketing, Inc.		
1	1		PCT	WO 02/073512	Al	09/19/2002	3M Innovative Properties Co.		
			EP	1 251 450	Al	10/23/2002	NCR International Inc.		

Examiner /Pierre Elisca/	Date Considered	09/30/2008
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· Substitut	te for form 1449A/PTO	)		Co	omplete if Known	
				Application Number	10/711,965	
INFO	DRMATION	DIS	SCLOSURE	Filing Date	October 15, 2004	
STA	TEMENT B	Y A	PPLICANT	First Named Inventor	Peter D. Saunders, et al.	
				Art Unit	TBA	
	(use as many shee	ets as	necessary)	Examiner Name	TBA	
Sheet	5	of	8	Attorney Docket Number	60655.6300	

				U.S. PAT	ENT DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number	Kind Code	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Examiner Initials	Cite No. <sup>1</sup>	Office <sup>3</sup>	Foreign Patent Do  Number4	cument Kind <sup>s</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
/PE/		PCT	WO 02/086665	A2	10/31/2002	United States Postal Service		
XX		PCT	WO 02/091281	A2	11/14/2002	Outsite Networks Inc.		
		PCT	WO 02/097575	A2	12/05/2002	American Express TRS Co.		
V		PCT	WO 02/101670	A2	12/19/2002	3M Innovative Properties		

Examiner | Date | 09/30/2008 | Signature | Considered | C

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. See The Indication of the year of the reign of the Emperor must precede the serial number of the patent document. Skind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

Substitu	te for form 1449B/PT0	0		Co	mplete if Known
				Application Number	10/711,965
INFO	DRMATION		SCLOSURE	Filing Date	October 15, 2004
STA	TEMENT I	RY.	APPLICANT	First Named Inventor	Peter D. Saunders, et al.
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Sheet	6	of	8	Attorney Docket Number	60655.6300

		OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
/PE/		"What's New: Timex Watch Features Speedpass System", http://www.speedpass.com/news/article.jsp?id=51 (1 page)	
000000000000000000000000000000000000000		"Physical Reality: A Second Look", Ken Sharp, Senior Technical Editor, http://www.idsystems.com/reader/1999_03/phys0399_pt2/phys0399_pt2.htm (6 pages)	
0)00000000000000		"'Magic Wands' to Speed Mobile Sales", BobBrewin, Jan. 15, 2001, http://www.computerworld.com/mobiletopics/mobile/story/1,10801,563300.html (4 pages)	
000000000000		"Mobile Speedpass Goes Global as Mobil Singapore Rolls Out Asia's First RFID-Based Pay-At-The-Pump System", Press Release, April 5, 1999, http://www.ti.com/tiris/docs/news_releases/rel12.htm (3 pages)	
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000000000000000000000000000000000000000		International Newsletter of the TI RFID Group, Issue 20, 2000 (12 pages)	
000000000000000000000000000000000000000		"CES: Microsoft's SPOT Technology has Humble Origins", by James Niccolai, January 10, 2003, http://archive.inforworld.com/articles/hn/xml/03/01/10/030110hnspot.xml?s=IDGNS (3 pages)	
000000000000000000000000000000000000000		"Microsoft: See SPOT Run On Your Wrist", by Richard Shim, June 5, 2003, http://news.com.com/2100-1041_3-1013442.html?tag=fd_top (1 page)	
***************************************		"Networking: Microsoft SPOT", by Jeremy A. Kaplan, July 1, 2003, http://www.pcmag.com/print_article/0,3048,a=43561,00.asp (2 pages)	
V		"Microsoft Launches Smart Personal Object Technology Initiative", Press Release from COMDEX Fall 2002, November 17, 2002, http://www.Microsoft.com/presspass/features/2002/nov02/11-17SPOT.asp (4 pages)	

Examiner   Date   09/30/2008   Signature   Considered	l	/Pierre Hisca/	
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

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Substitu	ute for form 1449B/F	PTO		Complete if Known			
				Application Number	10/711,965		
INF	ORMATIC	)N DI	SCLOSURE	Filing Date	October 15, 2004		
STA	TEMENT	RY	APPLICANT	First Named Inventor	Peter D. Saunders, et al.		
		<b>D</b> .,	ATT LIGHT	Art Unit	ТВА		
	(use as man	y sheets	as necessary)	Examiner Name	ТВА		
Sheet	7	of	8	Attorney Docket Number	60655.6300		

Examiner nitials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
/PE/		"Bank Extends RFID Payment Pilot: Bank of America will continue to test its QuickWave RFID payment card for another three months", RFID Journal, 01/23/2003	
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1	Examiner	/Pierre Elisca/	Date	00/00/0000	١
1	Signature	, , , , , , , , , , , , , , , , , , , ,	Considered	09/30/2008	/

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	(use as many	sheet	s as necessary)	Examiner Name	ТВА		
Sheet	8	of	8	Attorney Docket Number	60655.6300		

OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No.1		of the iber(s),	T²		
/PE/		Functional Specification, Standard Card IC MF1 IC S50, Philips Semiconductors, Product Rev. 5.1 May 2001	Specification			
Examine	r	/Pierre Elisca/ Date	09/30/20	008		

Signature Considered

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